IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITIN NO.8163 OF 2006

Dattatraya S. Gatade ....Petitioner
V/s.
Tatoba S. Gatade ....Respondent

Mr.Vijay Killedar for the Petitioner.
Ms.P.P. Tendulkar for the Respondent.

CORAM : S.J. VAZIFDAR, J.
DATED : 23RD JANUARY, 2007.

P.C. :

1. The impugned order warrants no interference. This is one case where even on payment of costs condonation ought not to be granted. The learned Judge in a detailed order has specified the delay at each stage. For instance, even after the application for condonation of delay was dismissed in default on 28.2.2002, the Writ Petition challenging the order was filed on 13.1.2005. That the Writ Petition was misconceived is another point. The fact is that the Writ Petition itself was filed after a delay of three years. That Writ Petition was withdrawn on 31.8.2005. The application in which the impugned order was passed was made in December, 2005.

2. In the circumstances, the Writ Petition is

dismissed.